

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA

v.

ABDIFATAH ADAN

NO. 3:10-00260

JUDGE HAYNES

**GOVERNMENT'S MOTION *IN LIMINE* TO EXCLUDE ALLEGATIONS INVOLVING
JANE DOE TWO'S RELATIVE**

Comes now, the United States, by and through the undersigned, and respectfully moves this Honorable Court to issue an order excluding any allegation that any relative of Jane Doe Two (JD2) is a terrorist. During the hearings on March 2 and 5, 2012, Defendants Idris Ibrahim Fahra (9) and Yusuf Yassan (29) alleged that JD2's brother is a terrorist. Any allegation that JD2's brother is a terrorist lacks any relevance to the instant proceeding. Federal Rule of Evidence 403 states, "The court may exclude relevant evidence if its probative value is substantially outweighed by a danger of one or more of the following: unfair prejudice, confusing the issues, misleading the jury, undue delay, wasting time, or needlessly presenting cumulative evidence." Defendants' claim that JD2's brother is a terrorist has no probative value and is irrelevant. Moreover, the allegation is unfairly prejudicial, confusing, and misleading. For these reasons, the Government seeks an order from this Honorable Court excluding any allegation related to JD2's relative being a terrorist.

ORDER
This motion is GRANTED for the reasons stated in open court.
Will [signature]
3-22-12